

## **Safety & Environmental Enforcement, Interior**

## **§ 270.2**

post office address. Any such cancellation is subject to judicial review as provided in section 23(b) of the Act.

(b) Producing leases issued under the Act may be cancelled by the Secretary whenever the lessee fails to comply with any provision of the Act, applicable regulations or the lease only after judicial proceedings as prescribed by section 5(d) of the Act.

(c) Any lease issued under the Act, whether producing or not, shall be canceled by the authorized officer upon proof that it was obtained by fraud or misrepresentation, and after notice and opportunity to be heard has been afforded to the lessee.

(d) Pursuant to section 5(a) of the Act, the Secretary may cancel a lease when:

(1) Continued activity pursuant to such lease would probably cause serious harm or damage to life, property, any mineral, National security or defense, or to the marine, coastal or human environment;

(2) The threat of harm or damage will not disappear or decrease to an acceptable extent within a reasonable period of time; and

(3) The advantages of cancellation outweigh the advantages of continuing such lease or permit in force. Procedures and conditions contained in § 550.182 shall apply as appropriate.

### **Subpart L—Section 6 Leases**

#### **§ 256.79 Effect of regulations on lease.**

(a) All regulations in this part, insofar as they are applicable, shall supersede the provisions of any lease which is maintained under section 6(a) of the Act. However, the provisions of a lease relating to area, minerals, rentals, royalties (subject to sections 6(a) (8) and (9) of the Act), and term (subject to section 6(a)(10) of the Act and, as to sulfur, subject to section 6(b)(2) of the Act) shall continue in effect, and, in the event of any conflict or inconsistency, shall take precedence over these regulations.

(b) A lease maintained under section 6(a) of the Act shall also be subject to all operating and conservation regulations applicable to the OCS. In addition, the regulations relating to geophysical and geological exploratory op-

erations and to pipeline rights-of-way are applicable, to the extent that those regulations are not contrary to or inconsistent with the lease provisions relating to area, the minerals, rentals, royalties and term. The lessee shall comply with any provision of the lease as validated, the subject matter of which is not covered in the regulations in this part.

#### **§ 256.80 [Reserved]**

### **Subpart M—Studies [Reserved]**

### **Subpart N—Bonus or Royalty Credits for Exchange of Certain Leases Offshore Florida [Reserved]**

## **PARTS 259–260 [RESERVED]**

## **PART 270—NONDISCRIMINATION IN THE OUTER CONTINENTAL SHELF**

### **Sec.**

- 270.1 Purpose.
- 270.2 Application of this part.
- 270.3 Definitions.
- 270.4 Discrimination prohibited.
- 270.5 Complaint.
- 270.6 Process.
- 270.7 Remedies.

AUTHORITY: 43 U.S.C. 1863.

SOURCE: 76 FR 64462, Oct. 18, 2011, unless otherwise noted.

#### **§ 270.1 Purpose.**

The purpose of this part is to implement the provisions of section 604 of the OCSLA of 1978 which provides that “no person shall, on the grounds of race, creed, color, national origin, or sex, be excluded from receiving or participating in any activity, sale, or employment, conducted pursuant to the provisions of \* \* \* the Outer Continental Shelf Lands Act.”

#### **§ 270.2 Application of this part.**

This part applies to any contract or subcontract entered into by a lessee or by a contractor or subcontractor of a lessee after the effective date of these regulations to provide goods, services, facilities, or property in an amount of \$10,000 or more in connection with any activity related to the exploration for